

REMARKS

Claims 1-15 are pending in the present application. Claims 1-15 stand rejected. By the present amendment, Applicants have amended Claims 1, 3, 6, 7, 9 and 14. No new matter has been added by the amendments herein. Reconsideration of the present application in light of the present remarks is respectfully requested.

I. Claim Rejections under 35 U.S.C. § 112

The Examiner rejected Claims 3, 6, 7 and 14 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner contends that in claims 3 and 6 the recitation "said A-frame" lacks proper antecedent basis. Further the Examiner contends that the recitation "may" in line 1 of each of claims 7 and 14 is indefinite since it is unclear whether the carriage attaches to the frame or not. Applicant submits that through the present amendments to claims 3, 6, 7 and 14 the Examiner's rejections have been overcome and respectfully requests that the Examiner's 35 U.S.C. §112 rejections be withdrawn.

II. Claim Rejections under 35 U.S.C. § 102

The Examiner rejected Claims 1-15 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,976,054 to Jones ("Jones"). The Examiner contends that Jones discloses the Applicant's claimed invention. The Examiner specifically contends that Jones's snowplow blade (14), corresponds to Applicant's claimed leveling carriage and, therefore, concludes that Jones discloses a leveling carriage attached to a second end of each attachment member. Applicant respectfully disagrees.

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Jones's snowplow blade (14) does not correspond to Applicant's claimed leveling carriage. As shown and described in Jones, the snowplow blade (14) is an object to be leveled, not a leveling device itself. Further, Jones's snowplow blade (14) is not directly attached to the second end of each attachment member as required of the leveling carriage in each of Applicant's amended claims. Nor is Jones's frame (40) separately rotatably connected to Jones's snowplow blade (14) and reversing table (30), as required of the frame in Applicant's Claims 1-8. Similarly, Jones's snowplow blade (14) is not separately rotatably connected to Jones's frame (40) and reversing table (30), as required of the leveling carriage in Applicant's Claim 9-15. Rather, as shown in Jones's Fig. 1, Jones's snowplow blade (14) is attached to Jones's reversing table (30), but not separately attached to Jones's support frame (40).

Applicant respectfully submits that, in view of the claim amendments presented above, the Examiner's 35 U.S.C. § 102 rejections have been overcome. Accordingly, Applicant respectfully requests that the Examiner's 35 U.S.C. § 102 rejections be withdrawn.

CONCLUSION

Applicant asserts that this application is in condition for allowance. If for any reason the Examiner is unable to allow the application and feels that an interview would be helpful to resolve any remaining issues, the Examiner is respectfully requested to contact the undersigned attorney at (312) 372-2000.

Dated: October 27, 2004
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Respectfully submitted,

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